

### Remarks

Applicant respectfully traverses the Examiner's rejection of Claims 1-3 as being anticipated by Hatch, U.S. Patent No. 1,559,695.

The subject matter of the twice amended claim 1 distinguishes over Hatch at least by the following features:

- Claim 1 claims a cable conduit whereas Hatch discloses a bottle carrier which would be totally unsuitable for supporting cables and thus cannot constitute a cable conduit,
- Claim 1 specifies that the claimed cable conduit has at least one substantially U-shaped section extending between two open ends in the longitudinal direction, whereas it is impossible to spot any U-shaped section which would extend between two open ends in Hatch.

Therefore, the 35 U.S.C. § 102 Rejection against claims 1-3 should be withdrawn.

Applicant respectfully traverses the Examiner's rejection of Claims 1-3 as being obvious over Simon, U.S. Patent No. 5,531,410, in view of Hatch.

A person skilled in the art of cable conduits would never have combined the teaching of a document belonging to this field (Simon) with the teaching of an old document belonging to a totally different field (Hatch).

Further, the person skilled in the art would have no incentive to combine those two very different documents. In particular, nothing would have suggested a person skilled in the art that Hatch might have taught any solution to the technical problem to be solved (avoiding deformation of pipes or lines contained in a cable conduit) and as a matter of fact, this technical problem was neither raised nor solved in Hatch.

Therefore, the 35 U.S.C. § 103(a) Rejection against claims 1-3 should be withdrawn.

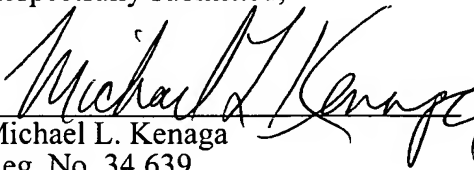
Applicant traverses the rejection of Claims 4-6 as being obvious over Hatch in view of Yake, U.S. Patent No. 4,046,261, as well as the rejection of Claims 4-6 as being obvious over Simon in view of Hatch, and further in view of Yake.

Since the 35 U.S.C. § 103 Rejection against claim 1 should be withdrawn and since Yake does not add anything which would challenge the patentability of claim 1, these rejections should be withdrawn.

Concerning Yake, one should note that this document is not only belonging to a technical field (dishwasher racks) which is very far away from the technical field of the invention, but also does not disclose any U-shaped section extending longitudinally between two open ends and having a length which is larger than its width.

In view of the foregoing comments and amendment, Applicants respectfully request the Examiner's reconsideration and to find Claims 1-6 allowable over the prior art of record.

Respectfully submitted,

  
Michael L. Kenaga  
Reg. No. 34,639

**DLA PIPER RUDNICK GRAY CARY US LLP**

P.O. Box 64807

Chicago, Illinois 60664-0807

Phone: 312/368-4000

**Customer No.: 28465**